

In the matter of RM-11338 NPRM

Comments filed by George Simmons a Professional Engineer.

The rules as suggested by the FCC are a good start in letting AM stations operate translators . While beyond the scope of this NPRM, a moment should be spent on the issue of a complete overhaul of the translator situation. Most will agree there has been a wholesale fraud on the principle of translators. They were never intended to be radio networks or to be primarily used to send programs from one part of the nation to hundreds of cities in other states. What we are now seeing is little more than RF pollution in the form of transmitters that do nothing but over saturate an area with the SAME programming. As an example, anyone who takes a look at the number of translators operated by Radio Assist Ministry or Edgewater Broadcasting or Horizon Christian Fellowship will see that they literally have hundreds in operation. For example, in the Elkhart, Indiana area they have no less than two which are retransmitting WFRN FM from two 10watt translators on two frequencies well inside the local contour of the originating station. By the way land in Indiana for those who do not know is about as flat as a table top. What sense does having the same programming on ten watt stations inside the umbrellas of a full power station make? It's an abuse! If the Commissions

wants to clean up the translator situation it must have the fortitude to reverse some earlier rulings. Putting a cap on ownership and giving the operators a year or two to divest might be helpful. Or simply refuse to license any new translators if the originating station is located more than say 100 kilometers from the translator site.

If the licenses for existing translators operated by religious networks thousands of miles away are cancelled, many frequencies would be open for use by local AM or FM stations.

The NPRM now at issue should give heavy preference to stations that are in the unique position of being in areas where NO translator applications are pending and no translator service of any kind now exists. These AM stations should be allowed to apply for and use translators immediately.

With the exception that the AM station may not have an FM co owned station in the same market. While I do not have access to actual numbers I would guess the number of actual stand alone AM stations with NO FM unit is relatively small and it should be easy to identify and notify these stations of preferred application standing. As an example, if a station is in an area where it provides the *only signal* of 2mv or greater to its City of License (5mv if the station is co-owned) and the area has no translators operating or pending then there should be no competition for that station to get an FM translator assuming that a frequency exists. Lets say "AM Station A" is

licensed to a city called Smalltown. If you look at *all* the other stations that can be heard in Smalltown, none but “AM Station A “ puts 2mv over any part of the City of License. This would mean that no other AM stations could even apply for a translator to serve Smalltown or any of its adjacent areas. With no controversy or competing applications, “Station A” should get a translator authorization with little trouble.

It would be easy for Station A to plot the 2mv contours of all AM stations in the area and if Smalltown receives less than 2mv from ANY other AM stations( except those co-owned) and a frequency is available the rules should allow Station A an almost automatic grant. While this would not work in every location, it would serve to get AM stations most in need of relief “on the air” with a translator as fast as possible. Such AM stations are probably the ones most talked about as doing a lot of local service and high school sports since they are the only game in town as far as AM signals go. This of course would only work in rural areas far enough from 50kw stations that put 2mv contours over a very wide area.

The Commission asks about restriction for stations that are not stand alone and have an FM sister. Absolutely! Stations that have a co-owed FM should

not be allowed to apply for translator service for the AM *unless* any and all stand alone AM stations in the same area are given translators first. Or opt not to apply for them. Any action the Commission takes on this issue MUST separate stand alone stations from group AM-FM operations. The Commission may wish to invite comment on just what makes a station “stand alone.” My definition of stand alone is an AM radio station whose owner has no interest in any FM or TV station that operates in essentially the same area. The Commission would have to take precautions to prohibit AM-FM combos from selling the AM to a front company in order to qualify for the translator and then later selling it back or otherwise doing an end run on the spirit of the regulation. It would not be the first time such an action has been taken by large broadcasting companies and it might be legal unless precautions are taken in the writing of the regulations to ensure fairness!

The Commission asks about having fulltime translators for Day only stations. This is a no brainer. Of course the AM station should be allowed to program the translator when the AM signal is off air due to license restrictions. The restriction of Day only service was not a matter of policy or sharing or local need . It was a matter of physics. Such physics should not affect operation of the FM translator so let it stay on as long as the programming is still coming from the AM station that would have stayed on had they not had a restricted

license. Less than 800 stations are day only now.

The 2mv/25 mile limit is fair and workable. It should stay but some thought needs to be given to stations which operate in directional mode and mount the translator on one of the AM towers. The Commission needs to “rubber” the 2mv rule to allow the FM signal to be high enough to substantially match the 2mv contour of the station with the null areas being a minor part of the calculation. Stations with deep nulls but a generally circular pattern otherwise should not be penalized because the nulls exist. This would be using AM physics to reduce FM coverage .. That does not make sense. The spirit of the proposal is to not allow AM stations to extend their reach into areas they would not normally serve, but I do not think including nulls is a correct way to ensure that this is true. A formula needs to be enacted that would allow a certain amount of crossover past the 2mv contour if that portion of the contour is in an actual null.

The Commission asks about using M3 as the basis of the contour . I say M3 is close enough and should be the standard.

The NPRM asks about ownership limits. I would think that most of the stations that qualify for relief would be 2.5 kilowatts and under. I think the

City of License and enough surrounding area could be covered by no more than 4 translators. The limit of ten is too high and might foster trafficking of CP's.

While it may take sometime to revamp the rules in total, I think some revisions could be made right away to get relief where it is needed most. To that end I suggest:

1. *Immediately* allow AM stations to supply programming to existing FM translators since this would not involve any allocations or licensing controversy.

Such programming to be delivered by any means required.

2. Allow AM stations in areas that have only that AM station as primary service ( signal levels of **all** other receivable AM stations at less than 2mv Day within the City of License of the applying AM station unless co owned.) a protected window to apply as long as no competing applications are currently on file and no other translators in the non reserved band are operating in the area. Such applications should be expedited to get service relief as fast as possible.

